

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

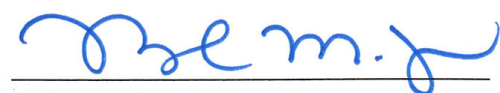
MICHAEL WAYNE BEARMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-22-805-J
	)	
GONZALEZ PEST CONTROL, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff, a prisoner appearing pro se, brings this action pursuant to 42 U.S.C. § 1983. The matter was referred to United States Magistrate Judge Amanda Maxfield Green for initial proceedings consistent with 28 U.S.C. § 636. [Doc. No. 4]. On January 13, 2023, Judge Green issued a Report and Recommendation recommending that this case be dismissed without prejudice based on Plaintiff's failure to pay the initial partial filing fee as ordered by the Court. [Doc. No. 16]. Plaintiff was advised of his right to object to the Report and Recommendation by February 3, 2023. No objection has been filed. Plaintiff has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 16] and DISMISSES this case without prejudice based on Plaintiff's failure to pay the initial partial filing fee.

IT IS SO ORDERED this 6<sup>th</sup> day of February, 2023.



BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE